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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,885	02/16/2005	Masafumi Okawa	MAT-8652US	5894
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EXAMINER				
ROY, SIKHA				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/524,885

Applicant(s)

OKAWA ET AL.

Examiner

Sikha Roy

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CD/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The Amendment, filed on November 30, 2007 has been entered and acknowledged by the Examiner. The objection to title has been withdrawn.

Cancellation of claim 3 and new claims 9-11 have been entered.

Election/Restrictions

Newly submitted claim 11 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

- I. Claims 1-10 drawn to plasma display panel classified in class 313, subclass 582.
- II. Claim 11, drawn to method for making plasma display panel, classified in class 445, subclass 24.

Inventions of Group I and Group II are related as product and process of making it. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process. For example, the product as claimed can be made as follows: the step of sealing the front and back panel by bonding the two panels by an adhesive.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 11 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 9 are rejected under 35 U.S.C. 102(b) as being anticipated by 'Gas Display Panel', IBM Technical Disclosure Bulletin, June 1974, pages284-285 and further in view of USPN 5,519,284 to Pepi.

Regarding claim1 the Bulletin discloses (Figs. 1, 3) a display panel comprising a pair of plates (two glass substrates) opposed to each other with an enclosed discharge space in between and one plate 2 having a communication hole 4 communicating with inside of the display panel and a gas adsorption member 8 having one hole disposed in the vicinity of the hole 4.

The Bulletin is silent about the one or more hole of the gas adsorption member having a combined total cross section area than the cross section area of the communication hole.

Pepi in same field of endeavor discloses (Fig. 3 col. 1 lines 65-67, col.2 line 61 through col. 3 line 24) discloses flat display system comprising a plate 1 and coupled to an exhaust pipe 13, pumping stem having a swelling portion 21 having a diameter significantly larger than the diameter of the vent 22 formed in plate 1, getter element in the form of a ring formed along the periphery of the swelling portion 21 and thus having cross section area greater than that of the vent 22. Pepi discloses this configuration of disposing getter peripherally with respect to the exhaust tube provides the advantage better efficiency of the getter increasing adsorption surface without reducing section of the exhaust tube.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to specify the ring adsorption member with one hole of the Bulletin having total cross section area greater than the cross section area of the communication hole as taught by Pepi for providing better efficiency of the getter, increasing adsorption surface without reducing section of the exhaust tube.

Regarding claim 2 the Bulletin discloses in Fig. 3 an exhausting pipe 14 having a pedestal is coupled to the plate 2 and the gas adsorption member 8 is disposed in the space formed by the pedestal and the plate having communication hole 4.

Regarding claim 4 the Bulletin and Pepi disclose the one hole of the gas adsorption member is a single hole and has a greater cross section area than the inner cross section area of the exhausting pipe (Pepi Fig. 4).

Regarding claims 5 and 8 the Bulletin and Pepi disclose the size of the gas adsorption member is greater than the inner diameter of the exhausting pipe (Pepi Fig. 4) and the diameter of the communication hole 4.

Regarding claim 6 the Bulletin and Pepi disclose the one hole of the gas adsorption member is a single hole and has a greater cross section area than the cross section area of the communication hole.

Regarding claim 7 the Bulletin and Pepi disclose the one hole of the gas adsorption member is a single hole and has a greater cross section area than that of the exhausting pipe.

Regarding claims 9 and 10 Pepi discloses plurality of gas adsorption members with ring shapes including at least two holes. Pepi does not explicitly disclose the composite cross sectional area being greater than the inner cross section area of the exhausting pipe. It would be obvious to one of ordinary skill in the art to specify the composite area of the plurality of holes greater than that of the exhausting pipe for providing better efficiency of the getter rings, increasing adsorption surface without reducing section of the exhaust tube.

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,313,579 to Nakano discloses the cross section area of the exhausting tube greater than that of the communication hole. JP 07-296748 to Kawate discloses flat panel display having exhausting tube with getter element disposed on the wall of the exhausting tube.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sikha Roy/
Primary Examiner, Art Unit 2879